

*VSBPE: Ensuring a Caring, Competent, Highly Qualified Educator in Every Vermont Classroom to Improve Student Learning*

**VERMONT STANDARDS BOARD FOR PROFESSIONAL EDUCATORS**  
**January 22, 2008**

**A G E N D A**

- |                    |  |                              |
|--------------------|--|------------------------------|
| 8:30 – 9:00 a.m.   | Call to Order<br><b>1 (A)</b> Approval of Minutes – <b>November 13, 2007*</b><br>Correspondence/Announcements<br>Board Member Updates<br><b>2 (A)</b> Staff Report<br>Agenda Preview | Action                       |
| 9:00 – 10:00 a.m.  | <b>3 (A)</b> Code of Ethics Draft*<br>B. Gross, Assistant Director EQT   | Discussion                   |
| 10:00 – 10:15 a.m. | <b>Break</b>   |                              |
| 10:15 – 11:00 a.m. | <b>4 (A)</b> Approval of proposed licensing regulations and rules before submission to LCAR<br>Ratification of former VSBPE Policies<br>Mark Oettinger, Esq., DOE General Counsel    | Vote                         |
| 11:00 – 11:30 a.m. | <b>Committee Work</b>  |                              |
|                    | <b>Administrator/Teacher Relicensing Committee</b>   |                              |
|                    | <b>5 (ARC/TRC)</b> Policy Manual (Policies C1, C2, C3, C4, C5 and I) <i>{In 11/07 packet please bring}</i>   | Discussion                   |
|                    | <b>6 (ARC/TRC)</b> Rutland Northeast Plan of Operation   | Discussion/Vote              |
|                    | <b>7 (ARC/TRC)</b> Franklin Northeast Plan of Operation  | Discussion/Vote              |
|                    | <b>8 (ARC/TRC)</b> Policy on Recency of Study  | Discussion                   |
|                    | <b>Higher Education Committee</b>  |                              |
|                    | <b>9 (HE)</b> Policy on Student Teaching and Practicum Requirements for Multiple Initial Endorsements*   | Discussion                   |
|                    | <b>10 (HE)</b> Policy on Student Teaching and Practicum Requirements for Multi-Level Single Endorsement*   | Discussion                   |
|                    | <b>11 (HE)</b> Policy on the Approval of Alternate Route Programs  | Vote                         |
| 11:30 – 12:30 p.m. | <b>Lunch</b>   |                              |
| 12:30 – 2:30 p.m.  | <b>Continue Committee work</b>   |                              |
|                    | <b>12 (HE)</b> Green Mountain College, Design Document*  | Discussion                   |
|                    | <b>13 (HE)</b> Norwich University, Design Document   | Discussion                   |
|                    | <b>14 (HE)</b> Upper Valley Teacher Institute, Design Document   | Discussion                   |
|                    | <b>15 (HE)</b> St. Michael's College Latin Program Information   | Discussion                   |
|                    | <b>16 (HE)</b> Champlain College Two-Year Report* <i>{C. Ducolon 1:00 p.m.}</i>  | Discussion/Vote              |
| 2:30 – 3:30 p.m.   | <b>17 (A)</b> Diversity Issues in Teacher Education<br>VT Teachers Scholarship Fund; Champlain Valley Diversity Initiative   | Discussion                   |
| 3:30 – 3:45 p.m.   | <b>Committee Reports and Motions</b>   | Action on<br>Recommendations |
| 3:45 p.m.          | Adjourn  |                              |

**\* Sent in December 2007 packet, please bring**

*The action listed next to each agenda item represents the intent of the Standards Board at the time the agenda is printed. It is possible that action may or may not be taken on any item listed on the agenda.*

## **Items Discussed/Approved at January 22, 2008 VSBPE Meeting**

<b>Discussed – Code of Ethics – Draft.....</b>	<b>pg. 1-3</b>
<b>Approved – Licensing regulations and rules, submission to LCAR.....</b>	<b>pg. 3</b>
<b>Discussed – Ratification of former VSBPE Policies.....</b>	<b>pg. 3-5</b>
<b>Approved – Plan of Operations for Rutland Northeast LSB.....</b>	<b>pg. 5</b>
<b>Approved – Plan of Operations Franklin Northeast LSB.....</b>	<b>pg. 5</b>
<b>Adopted – Policy on the Approval of Alternate Route Programs Code: SB/N4.....</b>	<b>pg. 5</b>
<b>Accepted - Champlain College’s Two-Year Report.....</b>	<b>pg. 6</b>

## **VERMONT STANDARDS BOARD FOR PROFESSIONAL EDUCATORS**

January 22, 2008

Morey Lounge, VTC, Randolph

### **MINUTES**

**MEMBERS PRESENT:** Brian Howe, Heather McCollum, Ronald Stahley, Stephanie Taylor, Bruce Richardson, Dolly Corkins, Sheryl Aliquo, Judith Jones, Kathy Finck, Cassandra Major.

**MEMBERS ABSENT:** Janet Steward, Russell Agne, Susan Jensen.

**STAFF PRESENT:** Marta Cambra, Bob Gross, Mary Beth McNulty, Marilyn Richardson, Anne Bordonaro, Marc Oettinger, Rebecca Otis.

**VISITORS/OTHERS PRESENT:** Sherry Gile, VT NEA; Colin DuColon, Champlain College; Ken Reissig, Champlain College; Sue Rowley, Champlain College.

**CALL TO ORDER:** B. Howe called the meeting to order at 8:47 a.m.

B. Howe asked if there were any additions or corrections to the minutes of the November 13, 2007 meeting.

B. Richardson **moved that the VSBPE approve the minutes of the November 13, 2007 meeting.** D. Corkins seconded. **Motion passed.**

### **CORRESPONDENCE / ANNOUNCEMENTS**

There were no correspondences or announcements.

### **BOARD MEMBER UPDATES**

There were no Board Member updates.

### **STAFF REPORT – Educator Quality Team**

M. Cambra added that under staff issues, the department is no longer recruiting for the temporary position. They have offered the position and the candidate has accepted. They are continuing to recruit for the licensing specialist position that was vacated by E. Graves.

There were no additional comments on the Staff Report.

B. Howe provided an agenda preview. He updated members that agenda item 17A is cancelled for today's meeting. The Champlain Valley Diversity Initiative phoned this morning to inform the Board that they will not be able to attend today's meeting to make their presentation.

### **Code of Ethics Draft – B. Gross**

B. Gross gave members a brief background on the Code of Ethics (COE) document. The Administrator and Teacher Relicensing Committee have drafted a preamble which is similar to language used in the previous Code of Ethics.

D. Corkins said the Committee felt it was important that the COE not be a basis for bringing misconduct against a teacher.

B. Howe added that this document is intended to be educational in nature. A large portion of the document is also included in Vermont and Federal Law.

S. Gile asked if a crosswalk could be done between this draft COE and the National Board's for Professional Teaching Standards, Teacher Principles. She asked if the Board wanted Principle II to reflect the policies around bullying as well.

B. Howe clarified that harassment and bullying are two separate policies. Principle II item D should also include bullying.

K. Finck stated that bullying is defined as repeated acts meant to intimidate and humiliate, harassment is about protected classes i.e. sex, religion etc.

C. Major said that at her school a record of harassment is used to add up to bullying and harassment is a single incident.

H. McCollum asked for clarification of who is performing the acts. Is this intended as harassment/ bullying on the part of the educator, or if the educator is preventing and reporting on behalf of the students?

B. Howe clarified that this Principle is aimed at the educator who is performing these acts.

K. Finck added that the reporting process for harassment and bullying would be another piece to add. In the instance that the educator does not intervene; child abuse included.

D. Corkins added that Principle II item F should include the word 'swearing'.

K. Finck asked for clarification on Principle VII item B, employment practices is not a clear statement.

S. Taylor defined this as an educator who does not disclose information about colleagues.

The Board agreed that the statement would stay as is.

S. Taylor asked about Principle II item I; the language does not sound right.

B. Howe stated that 'except in a medical emergency; and,' should be deleted from this statement.

The Board agreed.

S. Aliquo asked what is meant by Principle VI item B, this practice occurs around the state.

The Board agreed that the statement 'Or by the school / district administration' will be added to the end of item B.

S. Aliquo asked about Principal VI item A, what does this include.

The Board clarified that this would be anything contradictory to a school's policy.

A comma should be added after the word 'gifts'.

S. Gile asked if this draft will be distributed to the field for feedback.

B. Howe responded that this will be done in the near future. The COE will need to be formalized. Act 214 states that a COE will be formulated, but not where it is implemented or what form it needs to take.

B. Howe asked how and where the COE should be placed. The VSBPE may not want to put this into regulation because it may need to be revised. Should this be a guideline or a policy?

M. Oettinger said that this has been one of his concerns. It is likely that references will be made to the COE in disciplinary matters. He added that the language between the regulations, Act 214 and the COE should be consistent. If the COE has the potential to affect substantive rights, it should be included as a regulation.

H. McCollum stated that the COE might become a further elaboration of unprofessional conduct.

M. Oettinger agreed with this. Prosecutors and defense lawyers may cite the COE during adjudication of licensing cases. A period of public comment should be held for this document to ensure that all

stakeholder groups have input into the rule making process. A disclaimer at the end may not be enough to keep this from being used in disciplinary cases. The COE should be a regulation.

B. Howe said that he would like this document to be polished before a public comment opportunity takes place. The inconsistencies between the COE and any statute or regulation should be cleared up first.

M. Oettinger added that he has additional feedback on this document.

S. Gile asked if the document should be titled “Vermont Professional Educators Code of Ethics”.

B. Howe stated that M. Oettinger will review the document. An informal review by stakeholders will take place before the formal rule making process. The revised document will again be on the February agenda.

The Board took a break at 9:50 a.m. and reconvened at 10:00 a.m.

### **Approval of proposed licensing regulations and rules before submission to LCAR**

#### **A. Bordonaro**

B. Howe stated that the regulations were recommended to move forward by the previous Board.

M. Oettinger gave a brief history of the current revisions to the rules and regulations. The next step for these rules would be for the VSBPE to review the public comments that were received. He suggested that the Board decide which comments are valuable and which are not. The Board is reviewing the most recent version of the regulations; these have already been reviewed by the ICAR (Interagency Committee on Administrative Rules). Once the Board approves the changes, the rules will be submitted to the LCAR (Legislative Committee on Administrative Rules). This Committee will ensure that the regulations are consistent with the statutes. Once LCAR approves the document, it will be filed with the Secretary of State’s office and put into effect.

A. Bordonaro added that in the past public comments were incorporated where appropriate, directly into the document. She went through the comments that were incorporated and where they appear in the document.

B. Howe clarified that the changes to this document include: regulation cleanup and insertion of language conforming to Act 214, the technical issues that were just described, and the CTE endorsements.

**C. Major moved that the VSBPE grant final approval to the proposed revisions to the Educator Licensing Regulations with the additional revisions indicated below that resulted from the public comment opportunity. J. Jones seconded. Motion passed.**

### **Ratification of former VSBPE Policies**

#### **Mark Oettinger, Esq., DOE General Counsel**

M. Oettinger gave a brief background on the regulations. The VSBPE has inherited a set of regulations that were created by the SBE (State Board of Education). In order for the VSBPE to make these regulations their own, his suggestion is to vote to ratify the SBE regulations and rename them VSBPE regulations.

The Attorney General’s office suggested that the VSBPE ratify the regulations and operate under them for a period of time. The Board would then initiate a rule making process involving ICAR and LCAR to make them into VSBPE regulations.

Once the VSBPE has reviewed the regulations during their current year, and are satisfied with them, they can then move on to the rule making process. This decision is entirely up to the VSBPE. It is important to maintain records regarding differences of opinion between the old regulations, and the newly formed VSBPE regulations. He clarified that all of the regulations dealing with educator licensing, i.e. 5100, would basically become VSBPE rules.

B. Howe clarified that the VSBPE has reviewed and approved the regulations that are currently going to LCAR. The VSBPE needs to ensure that they proceed as comprehensively as possible, to make the regulations solely the responsibility of the VSBPE. In order for the VSBPE to make decisions and operate smoothly, they need to ensure they have authority over these regulations.

M. Oettinger elaborated that through the Board's approval of the regulations, they are completely ratified and solely under the VSBPE's jurisdiction.

B. Howe asked what the next steps should be regarding the VSBPE's policies.

M. Oettinger responded that the policies should not have to go through the rule making process. If the policies affect people's substantive rights, they do need to go through the formal rule making process. If they are solely internal documents, they do not.

H. McCollum asked if the Praxis I waiver was a policy or a regulation.

B. Gross responded that the Praxis I waiver was not a policy but rather a guideline.

B. Howe stated that Praxis I was a SBE regulation. The question came up as to who has the authority to hear testimony requesting a waiver of Praxis I. Previously the VSBPE heard testimony and made a recommendation to the SBE. Now the VSBPE hears testimony and also makes a decision.

A. Bordonaro said the Praxis I requirement is clearly within the licensing regulations. There is nothing written within the approved regulations that enables the VSBPE to waive their own rules.

M. Oettinger clarified that Act 214 gives the VSBPE the right to "oversee the training, licensing, and professional standards of teachers and administrators and to establish hearing panels to determine compliance with those standards". This could be evidence that the regulations do not cover everything as there are some items left that the VSBPE should be aware of. This would fall under the Attorney General's concern where the VSBPE operates under the current regulations for a period of time and then initiate a rule making process.

The Board then discussed the licensing of Speech and Language Pathologist's (SLP). This is not currently under the VSBPE's regulations; it is entirely handled by the DOE. The question is whether the VSBPE is the authorizing entity in regards to SLPs and any appeals regarding the SLP licenses.

B. Howe clarified that the EQ office issues clinical and educational licenses to SLPs.

M. Oettinger stated that an SLP licensing issue would most likely come before the Board. He elaborated that there will be potential situations in which the answers to these questions are simply not objectively derivable; there are not empirical answers.

B. Howe clarified that the VSBPE should work under these rules and regulations until June of 2008. They will forge ahead and make decisions in good faith, regarding items that are under their jurisdiction.

M. Oettinger agreed that the VSBPE should forge ahead in this manner. He cautioned the Board on one related matter. The Board should make decisions on matters as they come forward in a real context.

The consensus of the Board is to proceed under the SBE rules and regulations. It is their understanding that it is the intent of the statute. This is an agreed upon course of action by the VSBPE as a whole.

The Board broke for committee work at 11:00 a.m. They then they broke for lunch at 11:30 p.m. and reconvened at 12:35 p.m. They then broke for additional committee work and reconvened at 2:30 p.m.

## **COMMITTEE REPORTS**

### **Administrator & Teacher Relicensing Committee – D. Corkins reporting**

**D. Corkins moved that the VSBPE approve the Plan of Operations for the Rutland Northeast LSB.** K. Finck seconded. **Motion passed.**

**D. Corkins moved that the VSBPE approve the re-written Plan of Operations for Franklin Northeast LSB; and that letters be sent to the Chair indicating said approval.** C. Major seconded. **Motion passed.** H. McCollum abstained.

D. Corkins stated that the committee worked on the Policy Manual (Policies C1, C2, C3, C4, C5 and I). Next month B. Gross will bring revised copies of these policies for review.

The committee also has a question on the policies with regards to the frequency of meeting. The policy currently states that the VSBPE shall meet at least 10 times each year. Should the Board maintain this or should they change this?

The Board agreed that this should remain as it is written.

B. Gross will revise the draft version of the Policy on Recency of Study with input from the committee for the next meeting.

### **Higher Education Committee – H. McCollum reporting**

H. McCollum informed the Board of the committee's discussion on Policy on Student Teaching and Practicum Requirements for Multiple Initial Endorsements and the Policy on Student Teaching and Practicum Requirements for Multi-Level Single Endorsement. MB. McNulty will make changes to these policies and bring them back for a full board vote in February.

**H. McCollum moved that the VSBPE adopt the *Policy on the Approval of Alternate Route Programs* Code: SB/N4.** J. Jones seconded. **Motion passed.**

H. McCollum said the Committee reviewed three design documents for new programs. The first was for Green Mountain College's secondary science program. They reviewed and accepted the design document and approved a two-day visit for that new program.

They also reviewed the Norwich University design document to have a fully online administrator licensure program. The committee reviewed and accepted their design document and approved a two-day visit.

They also reviewed the Upper Valley Teacher Institute design document. They are requesting to establish a new administrator preparation program as an alternate route program that would recommend Vermont licensure for the Principal endorsement. The committee recommended a two-day visit.

The committee received an informational letter from St. Michael's College; they are asking to place a student in their secondary language Latin Program. The committee decided that they received enough

information and they do not need to do a visit at this time. SMC is approved for this endorsement through the modern and classical languages approval.

**H. McCollum moved that the VSBPE accept Champlain College's Two-Year Report. I further move that, based on the Report and its accompanying documentation, the VSBPE grant full approval for the following undergraduate preparation programs: Middle Grades History / Social Science 5-9, Middle Grades English Language Arts 5-9, Secondary English 7-12 and Social Studies 7-12. These approvals will be effective through the completion of the next ROPA Review of Champlain College's educator preparation programs. J. Jones seconded. Motion passed.**

There being no further business, the meeting adjourned by consensus at 2:45 p.m.

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Rebecca Otis, Administrative Assistant

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Brian Howe, Chair